

## NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

### NOTICE OF SUBSTANTIVE POLICY STATEMENT

#### DEPARTMENT OF CHILD SAFETY

[M14-354]

**1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**

This policy statement addresses a conflict between A.R.S. § 8-512(A)(1) and A.A.C. R6-5-6004(A)(a). The substantive policy number is 1-2P-01.

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

The substantive policy statement was issued and became effective May 29, 2014.

**3. Summary of the contents of the substantive policy statement:**

A.R.S. § 8-512(A)(1) states:

*"A The department shall provide comprehensive medical and dental care; as prescribed by rules of the department for each child who is:*

*1. Placed in a foster home."*

However, R6-5-6004(A)(1) last amended in 1979; limits the provision of these services to "licensed" foster homes. The Department interprets A.R.S. § 8-512(A)(1) to require the Department to provide Comprehensive Medical and Dental Program (CMDP) services to all children placed by the Department into a foster home, regardless of whether the foster home is licensed or not.

**4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**

A.R.S. § 8-512(A)(1) and R6-5-6004(A)(1)

**5. A statement as to whether the substantive policy statement is a new statement or a revision:**

This substantive policy statement previously with the Department of Economic Security has not been revised, but is new for the Department of Child Safety that administers the Comprehensive Medical and Dental Program in the State of Arizona.

**6. The agency contact person who can answer questions about the substantive policy statement:**

Name: Carrie A. Senseman  
Address: Department of Child Safety  
1789 W. Jefferson, Site Code 940A  
Phoenix, AZ 85007  
Telephone: (602) 542-5164  
Fax: (602) 542-3330  
E-mail: csenseman@azdes.gov

**7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

A person may obtain a copy of the substantive policy statement by contacting the individual listed in item 6.

## NOTICE OF SUBSTANTIVE POLICY STATEMENT

### DEPARTMENT OF ENVIRONMENTAL QUALITY

[M14-352]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**  
Document Title: Arizona Mining Guidance Manual BADCT  
Reference Number: TB 04-01
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**  
Issuance date: July 2005  
Effective date: November 2014
3. **Summary of the contents of the substantive policy statement:**  
This substantive policy statement informs the general public of ADEQ's current approach to, or opinion of, the satisfaction of Best Available Demonstrated Control Technology (BADCT) requirements for a Aquifer Protection Permit (APP) for a mine as specified in A.R.S. § 49-243(B)(1) and A.A.C. R18-9-A202(A)(5).
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**  
A.R.S. § 49-243(B)(1) and A.A.C. R18-9-A202(A)(5)
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**  
Revised. This substantive policy statement is a revision of the Arizona Mining BADCT Guidance Manual, Identification number: TB 98-5.
6. **The agency contact person who can answer questions about the substantive policy statement:**  
Name: Sherri Zendri, Office of Administrative Counsel  
Address: Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771-2212
7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**  
Copies of this policy document are available for download as a PDF document from ADEQ's website, or at the cost of \$0.25 per page from ADEQ's Information Desk, 1110 W. Washington, Phoenix, AZ 85007.

## NOTICE OF SUBSTANTIVE POLICY STATEMENT

### DEPARTMENT OF ENVIRONMENTAL QUALITY

[M14-353]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**  
Document Title: NPDES Permit Writers' Manual, (September 2010)  
Reference Number: EPA-833-K-10-001
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**  
Issuance date: November 2014  
Effective date: November 2014
3. **Summary of the contents of the substantive policy statement:**  
This substantive policy statement informs the general public of ADEQ's current approach to, or opinion of, the NPDES Permit Writers Manual that is principally designed to help permit writers prepare legally defensible and enforceable NPDES permits (known as AZPDES permits in Arizona). Its purpose is to serve as a useful resource in providing the technical and legal considerations which support the development of NPDES permits. The manual is also intended to serve as a resource for others, including stakeholders and the regulated community, interested in the NPDES process.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court**

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**judgment that underlies the substantive policy statement:**

18 A.A.C. Chapter 9, Article 9

**5. A statement as to whether the substantive policy statement is a new statement or a revision:**

Revised. This substantive policy statement updates from the 1996 U.S. EPA NPDES Permit Writers Manual, ID #EPA-833-B-96-003, to EPA's version issued in September 2010.

**6. The agency contact person who can answer questions about the substantive policy statement:**

Name: Sherri Zendri, Office of Administrative Counsel

Address: Department of Environmental Quality  
1110 W. Washington St.  
Phoenix, AZ 85007

Telephone: (602) 771-2212

**7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

Copies of this policy document are available for download as a PDF document from ADEQ's website, or at the cost of \$0.25 per page from ADEQ's Information Desk, 1110 W. Washington, Phoenix, AZ 85007.

**NOTICE OF SUBSTANTIVE POLICY STATEMENT**

**DEPARTMENT OF HEALTH SERVICES**

[M14-343]

**1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**

SP-095-PHS-EMS: Clarification of Arizona Administrative Code (A.A.C.) Title 9, Chapter 25, Article 13 Trauma Center Designation

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

Issuance date: November 21, 2014

Effective date: December 1, 2014

**3. Summary of the contents of the substantive policy statement:**

The substantive policy statement provides the public with a clarification of the Arizona Department of Health Services' (Department's) policy regarding the designation of trauma centers. This substantive policy statement describes how a health care institution that does not have current verification as a trauma facility at the applicable level, issued by the American College of Surgeons Committee on Trauma, may obtain trauma center designation, to comply with Arizona Revised Statutes (A.R.S.) § 36-2225(A)(4)(a).

**4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**

A.R.S. § 36-2225(A)(4)(a) and A.A.C. R9-25-1302

**5. A statement as to whether the substantive policy statement is a new statement or a revision:**

This is a new substantive policy statement.

**6. The name, address, and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:**

Name: Terry Mullins, Bureau Chief

Address: Department of Health Services  
Bureau of Emergency Medical Services and Trauma System  
150 N. 18th Ave., Suite 540  
Phoenix, AZ 85007-3248

Telephone: (602) 364-3150

Fax: (602) 364-3568

E-mail: Terry.Mullins@azdhs.gov

or

Name: Jeff Bloomberg, Manager

Address: Department of Health Services

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Office of Administrative Counsel and Rules  
1740 W. Adams, Suite 203  
Phoenix, AZ 85007

Telephone: (602) 542-1020  
Fax: (602) 364-1150  
E-mail: Jeff.Bloomberg@azdhs.gov

**7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

A copy of the substantive policy statement is available, free of charge, on the Arizona Department of Health Services website by selecting the appropriate link under "Division of Public Health Services" at: <http://www.azdhs.gov/ops/oacr/rules/sps/index.php?pg=preparedness>. A copy of the substantive policy statement may also be obtained from the Arizona Department of Health Services, Bureau of Emergency Medical Services and Trauma System, 150 N. 18th Avenue, Suite 540, Phoenix, AZ 85007, for 25 cents per page. Payment is accepted in cash or money order made payable to the Arizona Department of Health Services.

**NOTICE OF SUBSTANTIVE POLICY STATEMENT**

**DEPARTMENT OF INSURANCE**

[M14-335]

**1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**

Individual Annuity or Pure Endowment contracts: Use of 1983 Table "a"; Annuity 2000 Mortality Table and 2012 Individual Annuity Reserving (2012 IAR) Table. (Regulatory Bulletin 2014-06).

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

The substantive policy statement was issued September 8, 2014.

**3. Summary of the contents of the substantive policy statement:**

The Regulatory Bulletin is to advise interested parties, that effective January 1, 2015, the Director re-approves the use of the 1983 Table "a" for use as a recognized mortality table; re-approves the use of the Annuity 200 Mortality table as a recognized mortality table; and (2) newly approves the use of the 2102 Individual Annuity Reserving (2012 IAR) Table for determining the minimum standard of valuation for any individual annuity or pure endowment contract issued on or after January 1, 2015.

**4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**

A.R.S. §§ 20-510 and 20-1231.01.

**5. A statement as to whether the substantive policy statement is a new statement or a revision:**

This is both an update of previous approvals of mortality tables and a new approval of another.

**6. The name, address, and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:**

Name: Robert Kell  
Address: Department of Insurance  
2910 N. 44th St., Suite 210  
Phoenix, AZ 85018  
E-mail: rkell@azinsurance.gov  
Telephone: (602) 364-3999  
Fax: (602) 364-3989

**7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

Copies of this policy are available via the Internet at [www.azinsurance.gov](http://www.azinsurance.gov) or from the person listed in question #6 for 25 cents per page.

**NOTICE OF SUBSTANTIVE POLICY STATEMENT**

**DEPARTMENT OF INSURANCE**

[M14-336]

**1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**

Premium Credit for Subscription to Fire Protection Service (Regulatory Bulletin 2014-07).

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

The substantive policy statement was issued October 8, 2014.

**3. Summary of the contents of the substantive policy statement:**

The Regulatory Bulletin is to advise insurance producers and insurers that if the insurers' rating systems recognize policyholders who subscribe to a private fire protection service, those policyholders are not entitled to a lower premium or a "credit" unless the subscription is verified. Insurance producers who continue to give this credit without verification and insurers who do not review and modify, where necessary, rates and rating plane to ensure appropriate use of the subscription fire protection may be violating Title 20.

**4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**

A.R.S. §§20-443(1) and (5), 20-451, and 20-385(A).

**5. A statement as to whether the substantive policy statement is a new statement or a revision:**

This is to reaffirm and clarify the Department's position in Circular Letter No.94-2 titled "Premium Credit for Subscription to Fire Protection Service." Regulatory Bulletin 2014-07 does not state a position contrary to Circular Letter 94-2, but for clarity's sake, the new substantive policy statement supersedes the 1994 circular letter.

**6. The name, address, and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:**

Name: Dean Ehler

Address: Department of Insurance  
2910 N. 44th St., Suite 210  
Phoenix, AZ 85018

E-mail: dehler@azinsurance.gov

Telephone: (602) 364-3453

Fax: (602) 364-3989

**7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

Copies of this policy are available via the Internet at [www.azinsurance.gov](http://www.azinsurance.gov) or from the person listed in question #6 for 25 cents per page.

**NOTICE OF SUBSTANTIVE POLICY STATEMENT**

**DEPARTMENT OF INSURANCE**

[M14-337]

**1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**

Insurance Compliance Self-Evaluative Privilege (Regulatory Bulletin 2014-08).

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

The substantive policy statement was issued October 21, 2014.

**3. Summary of the contents of the substantive policy statement:**

The Regulatory Bulletin is to notify insurers of what the notice required by A.R.S. § 20-3302(A)(5) prior to the initiation and conclusion of an Insurance Compliance Audit must include.

**4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**

A.R.S. § 20-3302(A)(5)

**5. A statement as to whether the substantive policy statement is a new statement or a revision:**

The substantive policy statement is a new statement.

**6. The name, address, and telephone number of the person to whom questions and comments about the substantive**

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**policy statement may be directed:**

Name: Maria Ailor  
Address: Department of Insurance  
2910 N. 44th Street, Suite 210  
Phoenix, AZ 85018  
E-mail: [mailor@azinsurance.gov](mailto:mailor@azinsurance.gov)  
Telephone: (602) 364-4994  
Fax: (602) 364-2505

**7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

Copies of this policy are available via the Internet at [www.azinsurance.gov](http://www.azinsurance.gov) or from the person listed in question #6 for 25 cents per page.

**NOTICE OF SUBSTANTIVE POLICY STATEMENT**

**DEPARTMENT OF INSURANCE**

[M14-338]

**1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**

Travel Insurance Producer Licensure (Regulatory Bulletin 2014-09).

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

The substantive policy statement was issued November 4, 2014.

**3. Summary of the contents of the substantive policy statement:**

The Regulatory Bulletin is to notify insurance producers and insurers of the establishment of a "limited lines travel insurance producer business entity" license and the elimination of the individual "travel accident ticket and baggage insurance producer" license. These new provisions became effective on and after July 24, 2014.

**4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**

A.R.S. § 20-333

**5. A statement as to whether the substantive policy statement is a new statement or a revision:**

The substantive policy statement is a new statement.

**6. The name, address, and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:**

Name: Steven Fromholtz  
Address: Department of Insurance  
2910 N. 44th St., Suite 210  
Phoenix, AZ 85018  
E-mail: [sfromholtz@azinsurance.gov](mailto:sfromholtz@azinsurance.gov)  
Telephone: (602) 364-4457  
Fax: (602) 364-4460

**7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

Copies of this policy are available via the Internet at [www.azinsurance.gov](http://www.azinsurance.gov) or from the person listed in question #6 for 25 cents per page.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

BOARD OF TECHNICAL REGISTRATION

[M14-339]

**1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**

15. The Board's Interpretation of "Engineering Practice" as it relates to Participation in a Response to a Request for Qualifications.

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

November 18, 2014

**3. Summary of the contents of the substantive policy statement:**

This substantive policy statement provides the public with the Board's interpretation of what "engineering practice" in Arizona means in relation to participation in a RFQ-Response to a Request for Qualifications on a federal project. A.R.S. Title 32, Chapter 1, A.A.C. Title 4, Chapter 30.

**4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**

A.R.S. § 32-101(17).

**5. A statement as to whether the substantive policy statement is a new statement or a revision:**

This substantive policy statement is a new statement.

**6. The agency contact person who can answer questions about the substantive policy statement:**

Name; Melissa Cornelius, Executive Director

Address: Board of Technical Registration  
1110 W. Washington, Suite 240  
Phoenix, AZ 85007

Telephone: (602) 364-4930

Fax: (602) 364-4931

E-mail: melissa.cornelius@azbtr.gov

Website: www.btr.az.gov

**7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

The substantive policy statement is available, free of charge, on the Arizona State Board of Technical Registration's website at [www.btr.az.gov](http://www.btr.az.gov). Copies of the substantive policy statement may also be obtained from the Board office at the above address for \$0.20 per page.